

FOREST DEPARTMENT

The 3rd October, 1978

No. 3887-Ft-II-78/24041.—The result of the Departmental Examination of Officers of Indian Forest Services held in February, 1978 is notified as under :—

S. No.	Name of Officer	Subject	Pass/Fail
1	Shri D. R. Ramesh Singh, IFS	(i) Hindi	Pass
		(ii) Land Revenue	Pass
		(iii) Procedure & Accounts	Fail

L. D. KATARIA, Secy.

TECHNICAL EDUCATION DEPARTMENT

The 19th September, 1978

No. 38/8/78-PWIV(5).—The Governor of Haryana is pleased to extend the term of the Committee constituted,—*vide* Haryana Government Notification No. 8312-PWIV(5)-77/35105, dated 15th November, 1977 for probing into the affairs of Regional Engineering College, Kurukshetra with reference to certain complaints received against its management upto 31st December, 1978. The composition of the Committee will be as under :—

1. Shri Ishwar Chander, IAS., Financial Commissioner and Secretary to Government, Haryana, Irrigation Department in place of Shri P. P. Caprihan, I.A.S.	Chairman
2. Shri J. K. Duggal, I. A. S., Joint Secretary to Government, Haryana, Finance Department in place of Shri L. M. Jain, I.A.S.	Member
3. Shri R. D. Sharma, Pre-vice- Chancellor, Kurukshetra University, Kurukshetra	Member
4. Shri S. R. Nayyar, Assistant Director-cum-Registrar, Technical Education Department, Haryana, Chandigarh	Secretary

2. The Committee will meet at Kurukshetra or any other place to be decided by the Chairman of the Committee and will submit its report within three months.

3. The members will draw T. A./D.A. from their respective Departments/University.

V. K. SIBAL,
Commissioner & Secy.

PUBLIC WORKS DEPARTMENT
BUILDINGS AND ROADS BRANCH
Jind Circle
The 26th September, 1978

No. 128.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by the Government, at public expense, for a public purpose, namely, Jind, Gohana Road to village Nizarfopur, it is hereby notified that the land in the locality described below is likely to be required in the above purpose.

This notification is made under the provision of section IV of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within thirty days of the publication of this notification file an objection in writing before the Land Acquisition Collector, P. W. D., B. & R. Branch, Ambala Cantt.

SPECIFICATIONS

Name of District	Name of Tehsil	Name of village	Area in acres	Khasra Nos.
Jind	Safidon	Ludana	1.49	71/125, 126, 172, 128, 72/16, 25, 83/5, 6, 14, 13, 12, 22, 138, 96/2, 166, 9, 869, 19, 96/22, 104/9, 8, 7, 6, 149, 105/9/1, 9/2, 12/1, 12/2, 19/1, 19/2, 22/1, 22/2, 116/3, Rajbaha Rasta, 9, 129, 544, 542, 537, 526, 529, 838, 835, 836, 837, 825, 815, 814, 813, 812, 811, 810, 809, 808, 807, 806, 805, 804, 800, 801, 802, 803, 777, 778, 779, 780, 766, 816, 817, 503, 504, 507, 508, 512, 513, 514, 515, 518, 519, 520, 502, 501, 500, 497, 492, 491, 481, 471, 469, 468, 467, 464, 463, 458, 456, 455, 454, 452, 451, 450, 448, 447, 446, 445, 429, 437, 750, 751, 752, 753, 754, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 437/2, 437/3, 438, 436, 435, 433, 432, 417, 748, 747, 746, 413, 414, 415, 416, 398, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 351, 349, 348, 660, 661, 662, 663, 664, 665, 675, 676, 677, 688, 689, 690, 743

(Sd.) . . . ,

Superintending Engineer,
Jind Circle P. W. D., B. and R. Branch,
Jind.

IRRIGATION DEPARTMENT

The 29th September, 1978

No. 14202/1-1./IV/SYL.—Whereas it appears to the Governor of Haryana that the land specified below is needed by the Government, at public expense, for a public purpose, namely, for the land to be acquired for the proposed passage left side of link road 750 feet from Ambala-Hissar road opposite K.M. 21.0 for the construction of temporary colony at Jansui in village Jansui, tehsil and district Ambala, it is hereby notified that the land in the locality specified below is to be required for above purposes.

This notification is made under the provision of section (4) of the Land Acquisition Act, 1894 for the information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Government of Haryana hereby authorises the officers, of Irrigation Deptt. for the time being engaged in the undertaking alongwith their servants and workmen etc., to enter upon and survey land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality, may within thirty days of the publication of this notification file an objection in writing before the Land Acquisition Collector (Irrigation and Power), Model Town, Ambala City.

SPECIFICATION

District	Tehsil	Village	Hadbast No.	Area in acres	Locality
Ambala	Ambala	Jansui	308	0.092	A plot measuring 0.092 acres L/side of road 750' from Ambala-Hissar road opposite 21.0 for the construction of temporary colony at Jansui and as shown on the index plan and demarcated at site falling in field No. as per detailed below: —
				Rectangle No.	Field No.
				23	3

S.D. KALRA,

Superintending Engineer,
Sutlej Yamuna Link Circle No. I,
Ambala.

LABOUR DEPARTMENT

The 4th October, 1978

No. 11(112)-3Lab-78/8729.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Gautam Engineering Industries 17/3, Mathura Road, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 70 of 1975

between

SHRI KALA SINGH, WORKMAN AND THE MANAGEMENT OF M/S GAUTAM ENGINEERING INDUSTRIES, 17/3, MATHURA ROAD, FARIDABAD

Present :

Shri Amar Singh Sharma, for the workman.

Shri Rajeev Batra, for the management.

AWARD

By order No. ID/FD/75/16133, dated 18th March, 1975, the Governor of Haryana, referred the following dispute between the management of M/s. Gautam Engineering Industries, 17/3 Mathura Road, Faridabad and its workman Shri Kala Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Kala Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed by my learned predecessor on 2nd December, 1975.

- (1) Whether it was necessary for the workman to raise a demand directly on the management and for the later to reject it before the matter was taken to the Conciliation Officer, in order to constitute an industrial dispute?
- (2) If yes, whether the workman raised a demand directly on the management and the later rejected it before the matter was taken to the Conciliation Officer?
- (3) Whether the reference is bad in law for the reason as stated in preliminary objection 'A'
- (4) Whether the termination of services of Shri Kala Singh was justified and in order? If not, to what relief is he entitled?

First of all vires of the domestic enquiry was tried. I had held the enquiry as vitiated,— vide my order dated 27th March, 1970.

Then the case was fixed for the evidence of the management on the merits of the termination of services of the workman. The management obtained 3/4 adjournments for adducing their evidence but could adduce nil. At the last stage, the management pleaded a settlement with the workman by which the management agreed to pay a sum of Rs. 1,600 to the workman in satisfaction of the dispute. The representative for the workman first of all did not admit the settlement but later on he admitted that settlement and prayed that award be given as per the settlement. The representative for the workman also stated that the workman has received the amount as per settlement, I, therefore, answer the reference and give my award that the workman has received a sum of Rs 1,500 in satisfaction of the dispute and that there is no dispute existing at present, and in the circumstances, the termination of services of Shri Kala Singh, the workman concerned, was justified and in order. He is not entitled to any relief.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 893, dated 21st September, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-78/8730.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. X of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workmen and the management of M/s. Maheshwari Wire Industries Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 83 of 1978

between

THE WORKMAN AND THE MANAGEMENT OF M/S MAHESHWARI WIRE INDUSTRIES,
MATHURA ROAD, FARIDABAD

Present :

Nemo, for the workman.

Shri Suresh Gupta, for the management,

AWARD

By order No. ID/FD/942-77/12522, dated 28 March, 1978 the Governor of Haryana, referred the following dispute between the management of M/s Maheshwari Wire Industries, Mathura Road, Faridabad and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

- (1) Whether the workmen are entitled for annual increase in their wages ? If so, with what details ?
- (2) Whether the workmen are entitled to the grant of bonus/incentive bonus for the years 1974-75 ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. The representative for the workmen prayed for adjournment to file claims statement. Adjournments was granted for two times for filing claim statement by the workmen. At the last date of hearing neither the workmen appeared nor his representative. The workmen by his act of non-appearance, rendered the case liable to dismiss in default. In these circumstances, I think the workmen are not taking any interest in pursuing their dispute/demand. I, therefore, give my award that the workmen are not entitled to their demands which are given in the order of reference as dispute Nos. 1 and 2.

NATHU RAM SHARMA,

Dated the 15th September, 1978.

Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 892, dated the 21st September, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-78/8731.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Business Forms Limited, Plot No. 72, Sector-6, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 217 of 1976

between

SHRI RAGHU NATH YADAV, WORKMAN AND THE MANAGEMENT OF M/S. BUSINESS
FORMS LIMITED PLOT NO. 72, SECTOR-6, FARIDABAD

Present.—

Shri Sagat Ram Gupta, for the workman.

Shri R. C. Sharma, for the management.

AWARD

By order No. ID//FD/1076-A-76/35867, dated 27th September, 1976, the Governor of Haryana, referred the following disputes between the management of M/s. Business Form Limited, Plot No. 72 Sector-6, Faridabad, and its workman Shri Raghu Nath Yadav, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Raghu Nath Yadav, was justified and in order ?
If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties the following issues were framed on 24th January, 1977.

(1) Whether the termination of services of the workman concerned Raghu Nath Yadav was justified and in order? If not, to what relief is he entitled?

The case was fixed for the evidence of the management. The case was adjourned several times for one or the other reasons, Several times at the request of the workman. Evidence has not yet began in this case.

It was at this stage that the parties reached a settlement. The statements of the representatives for the parties were recorded. According to the settlement the management had to treat the workman on service upto 7th September, 1978 but shall not pay back wages from 30th May, 1976 to 7th September, 1976 and shall treat the workman as retrenched on 7th September, 1976. The parties calculated the amount of retrenchment compensation one months notice etc. and after calculation they agreed that if the management pay to workman a sum of Rs. 500 only in total, the dispute shall be deemed as settled but in case any other due of the workman such as earned wage, earned leave, Bonus etc. is found due to the workman from the management, the management, shall pay that to the workmen. Both parties pray that award be given in terms of the settlement.

While answering this reference, I give my award that the workman is entitled to receive from the management a sum of Rs. 500 only in toto and thereupon the termination of services of the workman shall be deemed as justified and in order. The workman shall not be entitled to any relief, except his earned wage, earned leave, bonus etc. if due from the management.

NATHU RAM SHARMA,

Dated 15th September, 1978.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 891, dated 21st September, 1978

Forwarded, (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3 Lab-78/8732.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Auto Agro Industries 5-P/37-C, N.I.T., Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 186 of 1977

between

THE WORKMAN AND THE MANAGEMENT OF M/S. AUTO AGRO INDUSTRIES,
5-P/37-C, N.I.T., FARIDABAD

Present :

Nemo, for the workmen.

Shri R. C. Sharma, for the management.

AWARD

By order No. ID/FD/385-77/46928, dated 27th October, 1977, the Governor of Haryana referred the following disputes between the management of M/s Auto Agro Industries, 5-P/37-C, N.I.T., Faridabad and

its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the workmen are entitled to the grant of bonus for the years 1974-75 and 1975-76, at a higher rate than declared by the management. If so, with what details ?

On receipt of the order of reference notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties the following issues were framed on 27th March, 1978 :—

Whether the workmen are entitled to the grant of bonus for the year 1974-75 and 1975-76 at a higher rate than declared by the management. ? If so, with what details ?

The case was fixed for filing documents. The management filed the document i. e. the copies of balance sheets. The workman took several adjournments for filing objections to the balance sheet but they could file none.

It was at this stage that the management produced a settlement signed by the workman and the management. the case was fixed for admission and denial of settlement by the representative for the workman, although no workman had come forward to deny the settlement. None appeared for the workman on 18th September 1978 the date fixed. The settlement was pursued. It is signed by 9 workman out of 10 working in the factory. The settlement reads that both the parties have made calculation and have come to the conclusion that no extra bonus was payable to the workmen for the years 1974-75 and 1975-76. Both the parties prayed in the settlement that no dispute award may be given in this reference.

While answering the reference I give my award in terms of the settlement that the workmen are not entitled to the grant of bonus for years 1974-75 and 1975-76 at a higher rate than that declared by the management. No details are necessary.

NATHU RAM SHARMA,

Dated the 19th September, 1978.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

—
No. 889, dated the 21st September, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3 Lab-78/8733.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding Officer, Industrial Tribunal Faridabad. In respect of the dispute between the workmen and the management of M/S. Qualitex Machinery PVT. LTD. Sector 6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDBAD

Reference No. 88 of 1978

between

SHRI BEDHA NAND WORKMAN AND THE MANAGEMENT OF M/S QUALITEX
MACHINERY PVT Ltd; SECTOR-6, FARIDABAD.

Present.—

Nemo, for the management.

Shri Amar Singh, for workman.

AWARD

By order No. ID/2097-A-77/23213, dated 14th June, 1977 the Governor of Haryana, referred the following dispute between the management of M/S Qualitex Machinery Pvt. Ltd;

Sector-6, Faridabad and its workman Shri Beda Nand, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Beda Nand was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. The workman filed the claim statement. But the management did not appear despite service of notice on them. The case was ordered *ex parte* against the management and was fixed for the *ex parte* evidence of the workman. The workman took 9/10 adjournments for adducing his evidence but could adduce none. On the last date hearing i. e. on 18th September, 1978 the representative for the workman stated that the workman was not present and he did not know the whereabouts of the workman. Thus it was a case of dismissal in default. It seems that the workman is not taking interest in pursuing his case. In these circumstances, while answering the reference and I give my award that the termination of services of Shri Beda Nand the workman concerned was justified and in order. He is not entitled to any relief.

NATHU RAM SHARMA,

Dated 19th September, 1978

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 888 dated 21st September, 1978

Forward (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1978.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad,

No. 11(112)-3Lab-78/8738.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Auto Pins (India) Regd, N. I. T. Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 102 of 1978

between

SHRI RAM HET WORKMEN AND THE MANAGEMENT OF M/S AUTO PINS (INDIA)
REGD. N. I. T. FARIDABAD

Present,—

Shri Jawahar Lal, for the workmen.

Shri R. C. Sharma, for the management.

AWARD

By order No. ID/17261, dated 4th May, 1978, the Governor of Haryana, referred the following dispute between the management of M/s Auto Pins (India) Regd. N. I. T., Faridabad and its workman Shri Ram Het, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d), sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Ram Het was justified and in order? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. The representative for the management brought for inspection of the Tribunal the voucher and wage slip by which the workman was fully and finally paid. The documents were inspected and returned. The management filed an application Ex. M-1 purported to have been signed by the workmen and stated that it was signed by the workman. The application reads that the workman had received as settled his dispute fully and finally and has no dispute whatsoever unresolved with the management. The workmen abandoned his right of reinstatement and withdraw this case. The representative for the workman stated that he knew nothing about the receipt of the amount settling his dispute fully and finally.

In these circumstances, I believe the representative for the management. I give my award that the termination of services of the workman was justified and in order. He is not entitled to any relief as he has fully and finally settled his dispute with the management after receiving the amount from the management.

NATHU RAM SHARMA,

Dated 19th September, 1978.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 883, dated the 21st September, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-78/8739.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Delhi Faridabad Textile Pvt. Ltd. 20/5, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 131 of 1978

between

SHRI PHOOL CHAND PANDEY, WORKMAN AND THE MANAGEMENT OF M/S DELHI
FARIDABAD TEXTILES PVT. LTD. 20/5, FARIDABAD

Present .—

Nemo for the workman.

Shri R. C. Sharma, for the management.

AWARD

By order No. ID/FD/2-B-78/16579, dated 1st May, 1978 the Governor of Haryana, referred the following disputes between the management of M/s Delhi Faridabad Textiles Pvt. Ltd., 20/5 Faridabad and its workman Shri Phool Chand Pandey to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Phool Chand Pandey was justified in order ? If not, to what relief is entitled ?

On receipt of the order of reference, notices were issued to the parties. The management appeared but the workman did not appear inspite of the fact that notices were issued to him twice. Lastly the representative for the management stated that the workman has settled his dispute after

receiving a sum of Rs. 1238.14. The said representative had shown to me the relevant vouchers, witnessing the payment of the said sum and also the settlement which was arrived at through the intervention of the Conciliation Officer.

I am satisfied that the dispute, has been settled between the parties. In the circumstances, I give my award that the termination of services of Shri Phool Chand Pandey, the workman concerned, was justified and in order. He is not entitled to any relief.

Dated the 14th September, 1978.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 822, dated the 21st September, 1978.

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-78/8743.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Celstial Enginnering works Pvt. Ltd., Sector 4, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 210 of 1976

between

THE WORKMEN AND THE MANAGEMENT OF M/S CELSTIAL ENGINEERING WORKS
PRIVATE LIMITED, SECTOR 4, FARIDABAD

Present. —

Shri Darshan Singh, for the workman.

Shri H. R. Dua, for the management.

AWARD

By order No. ID/FD/960-K-76/33911, dated 15th September, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Celstial Engineering Works Private Limited, Sector-4, Faridabad and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d), sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the workmen are entitled to bonus @ 20 % for the years 1973-74 and 1974-75 ?
If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. First of all Shri Roshan Lal, representative for the workmen appeared. On the second date of hearing he did not appear. Notices were again sent to the workmen. Both parties appeared and filed their pleadings, although the workmen had obtained two adjournments for filing claim statement. On the pleadings of the parties, the following issues were framed on 23rd June, 1977.

- (1) Whether a substantial number of workmen have espoused the demand under reference ?
- (2) Whether the workmen are entitled to bonus @ 20% for the years 1973-74 and 1974-75 ? If so, with what details ?

Then the case was fixed for filing the document. The management filed balance sheet. The workman obtained 7 adjournments for filing objection to the balance sheet but did file nil. On 7 dates of hearing, Shri Ram Murti the representative for the workman appeared. On 8th adjournment Shri Darshan Singh appeared for the workman. He obtained three adjournments for adducing the evidence of the workman. Lastly on 6th September, 1978 Shri Darshan Singh representative for the workman stated that he had no instructions from the workmen and was unable to adduce any evidence, as no workman had contacted him. Then the evidence of the workman was closed.

The representative for the management stated that he had no evidence to produce, because all the workmen have received their dues and have settled fully and finally and had left the factory for good, leaving no claim on the management. Evidence of the management was also closed.

Under these circumstances, I answer the reference and give my award that the workmen are not entitled to bonus at the rate of 20 percent for the years 1973-74, 1974-75, No details are necessary.

NATHU RAM SHARMA,

Dated the 19th September, 1978.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 878, dated the 21st September, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

G. V. GUPTA, Secy.

TOWN AND COUNTRY PLANNING DEPARTMENT

The 27th September, 1978

No. 1279-2-TCP-78.—With reference to Haryana Government Notification No. 1262-2TCP-76/10333, dated 26th March, 1976 published in Haryana Government Gazette, dated 6th April, 1976 declaring the area at Bhiwani under section 4 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 and in exercise of the sub-section (4) of section 5 of the said Act, the Governor of Haryana is pleased to publish the Draft Development Plan along with restrictions and conditions (given in annexure A and B) proposed to be made applicable to the Controlled Area at Bhiwani, approved under the sub-section (3) of the said section for the information of all persons likely to be effected thereby.

2. Notice is hereby given that the draft of the plan shall be taken into consideration by the Government on or after the expiry of 30 days from the date of publication of this notification in the official gazette, together with any objection or suggestion which may be received by the Director, Town and Country Planning, Haryana, Sector, 18-A Chandigarh from any person in writing in respect of such plan, before the expiry of the period so specified.

3. The relevant documents appended to are :—

1. Existing Land Use Plan	Drawing No. DTP (B) 672/76, dated 30th October, 1976.
2. Draft Development Plan.	Drawing No. DTP (B) 675/76, dated 4th November, 1976 as revised on 24th February, 1977.
3. Explanatory Note on the Development Plan	Annexure 'A'

4. Zoning Regulations governing the uses and development of land in the Controlled Area Bhiwani as shown in the drawing No. DTP(B) 675/76, dated 4th November, 1976/24th February, 1977

Annexure 'B'

ANNEXURE 'A'

EXPLANATORY NOTE ON THE DEVELOPMENT OF CONTROLLED AREA, BHIWANI

I. INTRODUCTION

Bhiwani town is situated on main Delhi-Rohtak-Pilani Highway and is at a distance of 118 Kms. in the west of Delhi. Till recently, it has been sub-divisional headquarter of Hissar District and 61 kms. from Hissar. In December, 1972 a new district of Bhiwani has been constituted and this town is now a district headquarter. It is an important railway station on Rewari-Bhatinda railway line. Bhiwani town has picked up a great name in textile manufacturing and has developed commerce and trade ties with the important towns of Haryana like Rohtak, Loharu etc. and several towns on Rajasthan. The road building revolution in Haryana, total electrification and the construction of Jui Canal and Indra Gandhi Lift Canal in this area, have helped a lot in improving the hinterland of Bhiwani, thus increasing its importance as a centrally located Urban Centre. At present it is a nodal centre and is connected with important cities of Haryana with net work of roads. There are several charitable trusts, hospitals, educational and other cultural institutions in this town.

2. With the growing prosperity of the hinter land and improved means of communication, the urban functions of Bhiwani have increased manifold, thus resulting into its physical expansion. Earlier this expansion was towards the western side of the city, i. e. along the railway line with Textile Mill as its nucleus. But now the expansion have shifted towards Hansi road and Rohtak road due to the increasing affinities with Hissar and Rohtak and with efficient means of road transport, new urban areas have sprung up between Hansi road and Rohtak road.

3. In order to check and curb the haphazard and unplanned growth of the town, a sizeable area around Bhiwani Municipal limits has been declared as a Controlled Area under the Punjab Scheduled Roads and Controlled Areas Restriction or Unregulated Development Act, 1963,—*vide* Haryana Government Notification No. 1262-2TCP-76/1033, dated 26th March, 1976 appearing in Haryana Government Gazette, dated 6th April, 1976.

II. POPULATION TRENDS

The population and its growth trends since 1901 has been as under :—

Years	Population	Decennial growth rates	Remarks
1901	35,917		
1911	31,100	(-)13%	
1921	33,270	+7%	
1931	35,866	+8%	
1941	43,921	+22%	
1951	52,183	+19%	
1961	58,194	+11%	
1971	73,086	+26%	
Estimate in 5 years			
1976	96,000	+31%	2. With declaration of Bhiwani as a district headquarter and of incentives of Industrial backward area, there is a sudden spurt of increase during 1973-75
2. It is further expected that the rate of increase of population will be high due to the regional importance of this town and in the wake of overall growing prosperity of the Haryana			

State. The induction of infrastructures and the availability of incentives for private investment in this town, have enlarged the scope of its physical expansion and the demographic increase. Moreover the rural population of 6.5 lakhs in this district with an area of 5 lakhs hectares would hardly be able to support its increase and thereby increase in rural migration to this town will occur.

3. Therefore, keeping into consideration all the above factors, it is estimated that the growth rate of the town will be about 25% in every 5 years, and in the next 20 years the town is likely to grow to a population of

$$96,000 \left(\frac{125^4}{100} \right) = 2.34 \text{ Lakhs}$$

The development plan has been prepared for a population of 2.40 lakhs by 1995 and 3.00 lakhs by 2005.

III. OCCUPATIONAL STRUCTURE

1. The comparative occupational structure of working force in the town in 1961 and 1971 is as under:—

Year	Primary sector	Secondary sector	Tertiary sector
1961	13.2%	41.3%	45.5%
1971	9.9%	41.5%	48.6%

2. As it may be seen from above, there is a marked increase in the secondary sector-workers and decrease in primary sector. The trend is likely to continue further and the working force percentage in secondary sector is expected to grow to 50% by 1995 and accordingly the Industrial zone has been provided in the development proposals

IV. EXISTING INFRASTRUCTURE

The old town of Bhiwani gives an impression of a compact urban settlement with a ring road around. The town was said to be having 12 entrance gates in the wall which surrounded the town. The westward off-shoot along the railway line is the result of the Textile Mill, which formed an important nucleus of industrial growth in Bhiwani. The post partition expansion has taken place mostly along Hansi road and various residential colonies, educational and technical institutions, a rest house and jail etc. have come up along this road. The commercial functions of the town are still concentrated in the central area of the town which is very congested. (A wholesale market of about 80 acres had been set up by the Colonisation Department on the Loharu Road). In order to give fillip to the economic base of the town, the department of Urban Estates, Haryana, has recently floated an industrial colony on Rohtak road with a number of incentives. Allround efforts are being made to boost up the economy and to improve the morphology of this town. The Improvement Trust is also contributing substantially by formulating and executing the various development schemes successfully within the congested and built up area of the town.

2. The survey of industrial establishment conducted by the department of Town and Country Planning has revealed that there are 33 industrial units in the registered sector employing 5,137 workers. Out of these industrial units were set up during the decade 1961-71. The textile industry alone is employing 93.6% of the total industrial working force. A vegetable oil factory, a condensary and another textile mills are the new industrial units, being set up at Bhiwani. There is also an ambitious programme of expanding and modernising the existing Bhiwani Textile Mill.

3. Trade and Commerce is employing 20 per cent of the total working force. The predominant trades are foodgrains, stone and building materials, fodder, grass, utensils and cloth. The retail trade is confined to the congested market located in the old town.

V. WATER SUPPLY AND SEWERAGE

The town has not a canal based water supply as the lade under ground water is brackish and inadequate. At present daily supply is approx. 25 gal/capita/day. The present water works is fed from Bhiwani distributary and a distributary from Jui Canal. The Public Health Department has a programme to increase this distribution capacity in line with the growing population and other needs of the town.

2. The sewerage scheme for the existing town has been taken up and the sewerage line has been provided along all the major roads of the town. Sewerage farm to utilise the waster water, has been set up on 300 acres of land near the disposal works.

VI. COMMUNITY FACILITIES

1. There are three degree colleges, one Post Graduate College, nine High and Higher Secondary Schools, eighteen Primary Schools and four vocational Institutions in Bhiwani. There are three General Hospitals, Two Eye Hospitals and two Women Hospital. The present Civil Hospital is being extended to 500 bedded Hospital at a cost of approx. Rs. 5 crores with arrangement for treatment of complicated diseases.

2. Bhiwani has got 3 cinemas with total seating capacity of 1977 persons, one club, three libraries and three reading rooms. There is only one maintained park. Bhiwani is sufficiently provided with educational and medical facilities and is quite adequate to meet the regional requirements.

PROPOSALS

1. *General Population Provisions.*—Keeping in view the growing importance of this town improving infrastructures, new traffic and transportation links (like Broad gauge Railway link with Rohtak) and other incentives offered to the prospective industrialists, Bhiwani town has been planned for a population of 2.00 lakh by 1990, with a further scope for expansion of 0.4 lakh, during the next half decade 1990/1995.

2. *Urban Land Uses.*—The urban land uses cover approx. 7,000 acres of land of which a major part of 6,100 acres lie in the Municipal Area, distributed in various land uses as under :—

Code No.	Land use	Approximate Area with in Municipal Limits
100	Residential	3065 Acres
200	Commercial	265 Acres
300	Industrial	710 Acres
400	Transport and Communication	295 Acres
500	Public Utilities	515 Acres
600	Public and semi public buildings	615 Acres
700	Major public open spaces Reserved for special purposes (use to be determined later)	510 Acres 125 Acres
Total :		6,100 Acres

The urban land uses outside the Municipal limits on its periphery as under :—

Code No.	Land uses	Approx. area outside Municipal Committee limit.
200	Commercial belt (near Rly. Station).	10 Acres
300	Industrial uses	85 Acres
400	Outer ring road.	300 Acres
500	Public Utilities (Second disposal works).	110 Acres
600	Public and Semi public uses (district Jail and Farm etc.)	160 Acres

Code No.	Land uses	Approx. area outside M/C limits
700	Public open spaces (green belt along the ring road).	25 Acres
800	Reserved for special purposes (use to be determined later).	210 Acres
	Total	900 Acres

The land use proposals shown in the development plan are in respect of Controlled area and it includes the area within the existing town for the proposed integrated and co-ordinated development.

3. The presence of railway line and two main canals distribution system on the West and religious chhatries and sewerage farm in the South and south-west leaves little scope for the expansion of the town on these sides. Therefore, the major proposed expansion can only be towards the north and the east of the town. The north ward expansion is again limited due to the new Broad gauge Railway line under construction. The presence of water works which is most important infrastructure in the north east of the town has given the impetus for expansion on this side, with a result the town is planned to grow to this side. Further expansion after 1990 is proposed to be in the linear fashion towards the east only. The growth of this town is proposed in the form of a grid iron pattern forming the rectangular Sectors of approx 250 acres each. Important land uses are proposed to be located as under :—

(I) RESIDENTIAL ZONE

Based on the above conclusions and facts the residential areas are planned in the form of self-contained sectors (neighbourhood). Eight sectors in full and four partially are carved out for this purpose. These sectors are proposed to have density ranging from 60 P.P.A. to 120 P.P.A. and these sectors alongwith the existing built up area will be sufficient for an estimated population of 2.4 lakhs by 1995.

(II) COMMERCIAL ZONE

Major commercial uses provided in the plan are as under :—

(A) *Town Centre*.—This zone has been proposed (in sector 15) near the existing town at Hansi road. Keeping in view the existing town and proposed development this area has the most vulnerable location.

(B) *Commercial Belt*.—A hundred metres wide commercial belt for important commercial establishments and professional officers and institutions, has been provided on a part of main arterial road, (the Bhiwani City Rly. Station to bus stand of the town in Sector 13).

(C) *Wholesale Marketing*—Department of Colonization has set up a new mandi on Loharu road and the improvement trust has provided a Truck Stand nearby.

The Bhiwani Improvement Trust has also developed a vegetable market on Rohtak Road.

All the existing wholesale marketing and warehousing area shall continue for such use and have been earmarked as such in the Development Plan.

(D) *Commercial Belt on circular Road*.—The circular road around the old walled city of Bhiwani is now an important Boules yard and a commercial belt around this road is proposed in the Development Plan.

The above major areas alongwith the existing commercial Bazars have been earmarked for commercial use.

III INDUSTRIAL ZONE

This zone has been provided in continuity with the existing industrial area and extending from Rohtak Road to the new Broad Gauge Bhiwani Rohtak Railway Line. This is the most suitable site from the point of view of prevailing wind direction, the convenient transport facilities and availability of railway siding. Besides this, other small industrial zones have been proposed near the existing major units of T.I.T. and B.T.M. in the municipal limits as shown on the plan.

IV. TRANSPORT AND COMMUNICATION

The existing railways major roads and air strip with ancillary units have been reserved for such use. The 30 metres to 66 metres wide roads around the sectors have been provided on grid iron pattern as major transport and traffic links/in urban areas. A 100 metres wide belt on both sides of Schedule road, outside the unbanishable limits bounded by V2 road, have been provided as a Transport and Communication belt in which the land uses will be controlled as per uses listed under this heading in appendix 'A'.

V. PUBLIC UTILITIES ZONE

The existing water works (in sector 22) on Meham Head and the sewerage disposal works with the sewerage farm along Dadri Head shall continue to be under such uses and have been earmarked as such. The remaining part of sector 22 upto Bhiwani Minor has also been reserved for extension of the existing water works.

VI. PUBLIC AND SEMI PUBLIC BUILDINGS

The existing educational institutions and public buildings are well located. The sites for major public buildings of Government College, Haryana, Education Board, Hafed establishment, Milk Plant, Jersy Cross, Panchayat Bhawan, Tourist Model (Public Sector), Bal Bhawan and Red Cross Bhawan have been located on the proposed road from bus Stand to the Bhiwani City Railway Station. These areas have been zoned, for public and semi-public buildings.

VII. MAJOR OPEN SPACES

The sites provided for the town park in sector 9 the stadium in Sector 14, college play grounds in sector 8 and the green belt along the outer ring road V 2 and the central road V 3 will be the major public open spaces of the Town and have been provided so in the Development Plan for such use.

VIII. AGRICULTURAL LAND

A forestry and orchards belt of approx. 300 M. wide, have been provided around the urbanisable area of the town to act as wind and dust breakers for the town.

The remaining area in the Controlled Area outside this orchards belt will be continued to be used for agricultural allied purposes.

IX. RESERVED FOR SPECIAL PURPOSE LAND

The use of area of sector 25 on the East of the water works and use of the land on the North of sector 13 and 23 upto the B. G. Railway line (under construction) will be determined later and is indicated as reserved for special purpose.

This has been so provided as the exact requirement of land required for extension of water works could not be ascertained fully and the use of land under sector 25 will be determined after ascertaining the requirements of land for water works extension. Similarly the use of reserved area on the north of sector 13 and sector 23 will be determined after ascertaining the requirements of land for railways and other special purposes.

III. ZONING REGULATIONS

The legal sanctity to the proposal, regarding land use within controlled Area is being given effect to by a set of zoning Regulations which form part of this development plan. These regulations will govern the change of land use and standard of the development. They also detail out allied and ancillary uses which will be permitted within the various major land uses and stipulate, that all development and change of land use shall be in accordance with the details shown in the sector plans, thereby ensuring the preparation of detailed sector plans for each sector to guide the development and enforce power control.

IV. PROPOSALS WITHIN THE MUNICIPAL LIMITS

The land use proposals within the municipal limits are of recommedatory nature and it is hoped that in the interest of planned development of the Town, the Muicipal Committee, the Improvement Trust and the other agencies will follow it and get it implemented accordingly.

ANNEXURE 'B'

Zoning Regulations Governing the uses and Development of land in the Controlled area around Bhiwani as shown in Drawing No. DTP (B) 675/76 dated 4th November, 1976 as revised

24th February, 1977

I. GENERAL

1. These Zoning Regulations, forming part of the development plan for the controlled area around Bhiwani shall be called the zoning Regulation of the Development plan for Bhiwani Controlled Areas.

2. The requirements of these Regulations shall extend to the whole of the area covered by the Development plan and shall be in addition to the requirements of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 and the rules framed thereunder :—

II. DEFINITIONS

1. In these regulations :—

- (a) 'Approved' means approved under the rules;
- (b) "Building Rules" means Rules Contained in part VII of the Rules;
- (c) "Drawing" means Drawing No. DTP(B)675/76, dated 4th November, 1976 (as revised on 24th February, 1977);
- (d) "Floor Area Ratio" (FAR) means the ratio expressed in percentage between the total floor area of a building on all floors and the total area of the site;
- (e) "Group Housing" means housing in blocks without division into streets and independent plots with necessary open spaces and sites for community facilities;
- (f) "Light Industry" means industry not likely to cause injurious or obnoxious noise, smoke, gas, fumes, odours, dust, effluent and any other nuisance to an excessive degree and motivated by electric powers;
- (g) "Local Service Industry" means an industry, the manufacture and product of which is generally consumed within the local area for example, Atta Chakkies with power, bakeries, ice cream manufacturing aerated waters, laundry, dry cleaning and dyeing, repair of household utensils, shoe-making, repairing and servicing of automobiles, scooter and cycle repair, fuel depots etc;
- (h) "Material date" means the 6th April, 1976 in respect of land within the controlled area notified under section 4 of the Punjab Scheduled Roads and controlled Areas Restriction of Unregulated Development Act, 1963,—*vide* Haryana Government Notification No. 1262-2TCP-76/10333, dated 26th March, 1976 appearing in Haryana Government Gazette of 6th April, 1976;
- (i) "Medium Industry" means all industries other than light industries and local service industry and not omitting obnoxious or injurious fumes and odours;
- (j) "Non-conforming use" in respect of any land or building in controlled area means the existing use of such land or building which is contrary to the major land use specified for that part of the area in the development Plan;
- (k) "Public Utility Building" means any building required for running of public utility service, such as water-supply, drainage, electricity, post and telegraph and transport and for any municipal services including a fire station;
- (l) "Rules" means the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated development Rules, 1965;
- (m) "Sector Density" and "Colony Density" shall means the number of persons per acre in sector area of colony area, as the case may be.

Explanation :—

- I. In this definition the "sector area" or "colony area" shall mean the area of the sector or of colony, as bounded within the major road system shown on the drawing in the case of sector and on the approved layout plan of the colony in the case of a colony including 50 per cent land under the major roads surrounding the sector or the colony and excluding the area unfit for building development within the sector or the colony as the case may be;
- II. For the purposes of calculation of sector density or colony density, it shall be assumed that 55 per cent of the sector area or colony area will be available for residential plots including the area under group housing and that every building plot shall on the average contains two dwelling units each with a population of 4.5 persons per dwelling units or 9 persons per building plots. In the case of showroom-residential plots, however, only one dwelling unit shall be assumed.

- (n) "Site Coverage" means the ratio, expressed in percentage, between the area covered by the ground floor of a building and the area of the site;
- (o) The terms "Act", "Colony", "Coloniser", "Development Plan", "Sector" and "Sector Plan" shall have the same meaning as assigned to them in the Punjab Scheduled Roads and Controlled Areas restriction of Unregulated Development Rules 1965; and
- (p) In the case of doubt, any other term shall have the same meaning as assigned to it in the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963.

III. MAJOR LAND USES/ZONES

1. For the purpose of these regulations, the various parts of the Controlled Area indicated on the drawing shall be reserved for the following major land uses and to be designated as such :—

1. Residential Zone.
2. Commercial Zone.
3. Industrial Zone.
4. Transport and Communication Zone.
5. Public Utilities Zone.
6. Public and Semi-Public buildings Zone.
7. Public open spaces.
8. Agricultural lands.

IV. DETAILED LAND USES WITHIN MAJOR LAND USES

Except as provided in Regulation X Main, ancillary and allied uses, which, subject to other requirements of these Regulation and of the rules, may be permitted in the respective major land uses zone, are listed in Appendix 'A' (Sub-joined to these Regulations).

V. DIVISION INTO SECTORS

Major land uses mentioned at Serial Nos. (1) to (3) and (6) in regulation III above which are land uses for building purposes, have been divided into sectors as shown bounded by the major road reservations, and each sector shall be designated by the number as indicated on the drawing.

VI. SECTORS NOT RIPE FOR DEVELOPMENT

Notwithstanding the reservation of various sectors for respective land uses for building purposes, the Director may not permit any change in their land use or allow construction of building thereon, from consideration of compact and economical development of the Controlled Area, till such time as availability of water-supply, drainage arrangement and other facilities for these sectors are ensured to his satisfaction.

VII. SECTORS TO BE DEVELOPED EXCLUSIVELY THROUGH GOVERNMENT ENTERPRISES ETC.

1. Change of land use and development in sectors which are the commercial zone and the public and semi-public building zone, shall be taken only and exclusively through the Government, or a Government undertaking or a public authority approved by the Government in this behalf and no permission shall be given for development of any Colony within these sectors.

2. Notwithstanding the provision of clause (I) above, the Government may reserve at any time any other sector for development exclusively by it or by agencies mentioned above.

VIII. LAND RESERVATIONS FOR MAJOR ROADS

1. Land reservation for major roads shall be as under :—

Classification of the major Roads

Land Reservation

1. Indicated on the drawing as VI

... as existing

2. Indicated on the drawing as V2 (Vertical)	..	66 M.
3. Indicated on the drawing as V2 (Horizontal)	..	60 M.
4. Indicated on the drawing as V3	..	50 M.
5. Indicated on the drawing as V4 (Vertical)	..	33 M.
6. Indicated on the drawing as V4 (Horizontal)	..	30 M.

2. Width and alignment of other roads, shall be as per approved layout plan of the sector/colonies.

BUILDING RESTRICTIONS

IX. DEVELOPMENT TO CONFORM TO SECTOR PLAN AND ZONING PLAN

Except as provided in regulation X, no land within a major land use shall be allowed to be used and developed for building purposes unless the proposed use and development is according to the details indicated in the sector and zoning plans and or the approved layout plan of the colony in which the land is situated.

X. INDUSTRIAL NON-CONFORMING USES

With regard to the existing industries in zones other than industrial zone in the development plan, such industrial non-conforming uses may be allowed to continue for a fixed period to be determined by the Director but not exceeding ten years provided that the owner of the industry concerned :—

- (a) Undertakes to pay to the Director, as determined by him the proportionate charges towards the external development of his site as and when called upon by the Director, to do so in this behalf ; and
- (b) during the interim period, makes satisfactory arrangement for the discharge of effluent to the satisfaction of the Director.

XI. DISCONTINUANCE OF NON-CONFORMING USES

(I) If a non-conforming use of land has remained discontinued continuously for a period of two years or more, it shall be allowed to be re-uses or re-developed only according to the conforming use.

(II) If a non-conforming use building is damaged to the extent of 50 per cent or more of its re-production value by fire, flood, explosion, earthquake, war riot or any other natural calamity, it shall be allowed to be re-developed only for the conforming use.

XII. DENSITY SIZE AND DISTRIBUTION OF PLOTS

(I) Every residential sector shall be developed to the sector density prescribed for it in the drawing, subject to a maximum of 20 per cent variation allowed on either side of the prescribed sector density.

(II) In the case of residential colony allowed under regulation XVII, the colony density of the colony area shall be not exceed the limits laid down below with 20 per cent variation of either side.

For area up to 100 hectares	..	200 persons per hect. (80 P. P. A.)
For area larger than 100 hectares	..	120 persons per hect. (48 P. P. A.)

XIII. INDIVIDUAL SITE TO FORM PART OF APPROVED LAYOUT PLAN OR ZONING PLAN

No permission for erection or re-erection of building on a plot shall be given unless :—

- (I) The plot forms a part of an approved colony plan or is such for which relaxation has been granted as provided in Regulation XVII below, and
- (II) The plot is accessible through a road laid out and constructed up to the situation of the plot to the satisfaction of the Director.

XIV. SITE COVERAGE AND HEIGHT OF BUILDING UNDER VARIOUS TYPES OF HOUSES

Site coverage and height up to which building may be erected within independent residential and industrial plots shall be according to the provisions contained in Chapter VII of the Rules. In the case of other categories, the maximum site coverage and the floor area ratio shall (subject to architectural control, as may be imposed under Regulation XVI) as below :—

Types of use	Maximum coverage on ground floor	Maximum floor area Ratio
(i) Group Housing	33-1/3 per cent	150 per cent
(ii) Government Office	25 per cent (including parking and Gardens)	150 per cent
(iii) Commercial Plot within town Centre	50 per cent if air condition is not done 75 per cent if air condition is done	150 per cent
(iv) Commercial plot within neighbourhood shopping centre	50 per cent	125 per cent
(v) Warehousing	75 per cent	150 per cent

XV. BUILDING LINES IN FRONT SIDE AND REAR

This shall be provided in accordance with rule 51, 52 and 53, contained in Chapter VII of the Rules.

XVI. ARCHITECTURAL CONTROL

Every building shall conform to Architectural Control wherever and if any specified in the Architectural Controlled sheets prepared under rule 50.

XVII. RELAXATION OF LAND USE WITHIN AGRICULTURAL ZONE

In the case of any land lying in Agricultural Zone, Government may relax the provisions of his Development Plan.

- (a) For use and development of the land into a residential or industrial colony, provided the coloniser had purchased the land for the said use and development prior to the material date and the coloniser secures permission for this purpose as per rules, and
- (b) for use of land as an individual industrial site (as distinct from an Industrial colony) provided that :—
 - (I) the land was purchased prior to the material dates ;
 - (II) the Government is satisfied that the need of the industry is such that it cannot await for an alternative allotment in the proper zone.
 - (III) the owner of the land secures permission for buildings as required under the rules ; and
 - (IV) the owner of the land under takes to pay to the Director, as determined by him, the proportionate charges towards the development of this land as and when called upon by the Director in this behalf and during the interim period makes satisfactory arrangement for discharge of effluent.

EXPLANATION :

The word 'purchase' in this Regulation shall mean acquisition of full proprietary rights and no lesser title such as agreement to purchase etc.

XVIII. PROVISION OF FARM HOUSES OUT SIDE ABADIDEH IN AGRICULTURAL ZONE.

A farm house in rural zone outside abadideh of village may be allowed subject to the following conditions :—

- (i) No farm houses shall be permitted within 1 Kms. of the urbanisable limit of any urban settlement as determined in the development/Master Plan.
- (ii) Farm houses shall be permitted on the farms having not less than 2 heccts. of area.
- (iii) The plinth area limit for the farm house shall be as under :—

For land from 2 to 2.4 heccts	150 sq. mtrs.
For every addl. 0.4 hecrt.	15 sq. mtrs.
(with maximum of 300 sq. mtrs.)	
- (iv) It shall be constructed single storeyed and its height shall not exceed 5 mtrs.
- (v) It shall be at least 15 mtrs. away from the edge of the agricultural land on all side provided that if land attached to the farm house abuts a road, the house shall be constructed with a minimum set back from the edge of the road as under :—

(a) Where the road is bye-pass to a schedule roads	= 100 mtrs.
(b) Where the Scheduled Road	= 30 mtrs.
(c) Any other road	= 15 mtrs.

RELAXATION OF THE DEVELOPMENT PLAN

Government may in cases of hardship or with a view to save any structures constructed before the material date, relax any of the provisions of the development Plan on principle of equity and justice on payment of such development charges and on such conditions as it may deem fit to impose.

APPENDIX 'A'

I. RESIDENTIAL

- (i) Residences
- (ii) Boarding houses
- (iii) Social Community, Religious and Recreational buildings
- (iv) Public Utility buildings
- (v) Educational buildings and all types of schools and colleges where necessary
- (vi) Health Institutions
- (vii) Cinemas
- (viii) Retail shops and Restaurants
- (ix) Local services Industries
- (x) Petrol filling stations
- (xi) Bus stops, Tonga, Taxi, Scooter and Rickshaw stands
- (xii) Nurseries and green houses
- (xiii) Any other minor need ancillary to residential use

As required for the Local needs of major use and at sites earmarked for them in the sector plan or in the approved layout plans of the colonies.

II. COMMERCIAL ZONE

- (i) Retail trade.
- (ii) Whole sale trade .

- (iii) Warehouses and storages.
- (iv) Commercial offices and Banks.
- (v) Restaurants, hotel and transient boarding houses including public assistance institutions providing residential accommodation like Dharamshala, tourist houses etc.
- (vi) Cinema and other places or public assembly like theatres, clubs, dramatic clubs etc run on commercial basis.
- (vii) Professional establishments.
- (viii) Residences on the first and higher floors.
- (ix) Local service industry
- (x) Public utility buildings.
- (xi) Petrol filling stations and service garages
- (xii) Loading and unloading yards.
- (xiii) Parking spaces, bus-stops, taxi, tonga and Rickshaw stands.
- (xiv) Town Parks.
- (xv) Any other use which the Director in public interest may decide.

III. INDUSTRIAL ZONE

- (i) Light industry
- (ii) Medium industry
- (iii) Heavy industry
- (iv) Service industry
- (v) Warehouses and storages
- (vi) Public utility, community buildings and retail shops
- (vii) Parking, loading and un-loading areas.
- (viii) Turck stands, Bus stops, Taxi, tonga and Rickshaw stands
- (ix) Petrol filling stations and service garages
- (x) Any other use permitted by the Director

As sites earmarked for them in the Sector plan or in the approved layout plan of the colonies.

IV. TRANSPORT AND COMMUNICATION ZONE

- (i) Railway yards, railway station and sidings
- (ii) Transport Nagar, Roads and Transport Depots and Parking areas
- (iii) Dock yard, Jetty, Piers
- (iv) Airports and Air Stations
- (v) Telegraph offices, Telephones and telephones exchange
- (vi) Broadcasting stations.
- (vii) Television stations.
- (viii) Architecture, Horticulture and nurseries at approved sites and period.

At sites approved by the Director.

- (ix) Petrol filling stations and services garages.
- (x) Parking spaces, bus stop/shelter taxi, tongh and rickshaw stands.

V. PUBLIC UTILITIES ZONE

- (i) Water supply installations. Including treatment plants.
- (ii) Drainage and Sanitary installations including disposal works.
- (iii) Electric power plants sub-stations etc. and staff quarters at approved sites.
- (iv) Gas installation and gas works.

VI. PUBLIC AND SEMI PUBLIC ZONE

- (i) Government offices, Government administration centres, secretariates, district offices, Law Courts, Jails, Police Station, governors and Presidencies residences
- (ii) Educational cultural and religious institutions.
- (iii) Medical and health institutions.
- (iv) Civic, Cultural and Social institutions like theatres, open houses etc. of a predominantly non-commercial nature.
- (v) Land belonging to defence.
- (vi) Any other use which government in public interest may decide.

VII. OPEN SPACE

- (i) Sports, grounds, stadium and play grounds.
- (ii) Parks and green belts.
- (iii) Cemeteries, crematoria etc.
- (iv) Any other recreational use with the permission of the Director.

VIII. AGRICULTURAL ZONE

- (i) Agricultural, horticultural, dairy and poultry farming
- (ii) Village house within Abadi-Deh
- (iii) Farm house outside Abadi-deh subject to restrictions as laid down in zoning regulations XVIII
- (iv) Expansion of existing village contiguous to Abadi Deh in under taken under a project approved or sponsored by the Central or state Government
- (v) Milk chilling stations and pasteurization plants
- (vi) Bus and Railway stations
- (vii) Air ports with necessary buildings
- (viii) Wireless station
- (ix) Grain Godowns/Storage spaces at sites approved by the Director
- (x) Weather Station
- (xi) Land drainage and irrigation Hydro electric work and tubewell for irrigation

As approved by the
Director

- (xiii) Telephone and electric transmission lines and poles
- (xlii) Mining and extraction operation including lime and brick kilns/ stone quarries and crushing subject to the rules and at approved sites
- (xiv) Cremation and burial grounds
- (xv) Petrol filling stations and garage services
- (xvi) Hydro-electric/thermal sub-stations
- (xvii) Any other use which Government may in public interest decide

As approved by the
Director

(Sd.) . . .,
Commissioner and Secy,

PART I)

HARYANA GOVT GAZ., OCTOBER 10, 1978 (ASVN. 18, 1900 SAKA)

1833

B H I W A N I

EXISTING LAND USE

LEGEND

A LAND FEATURES

OUTER BOUNDARY OF CONTROLLED AREA
MUNICIPAL BOUNDARY OLD
MUNICIPAL BOUNDARY EXTENDED
VILLAGE BOUNDARY
VILLAGE ABADI
RAILWAY LINE METRE GAUGE
RAILWAY LINE [BROAD GAUGE] U/C
ROADS
RASTAS
CANALS
H.T. LINES
MOUND
POND
BRICK KILN
WELLS AND TUBE WELLS

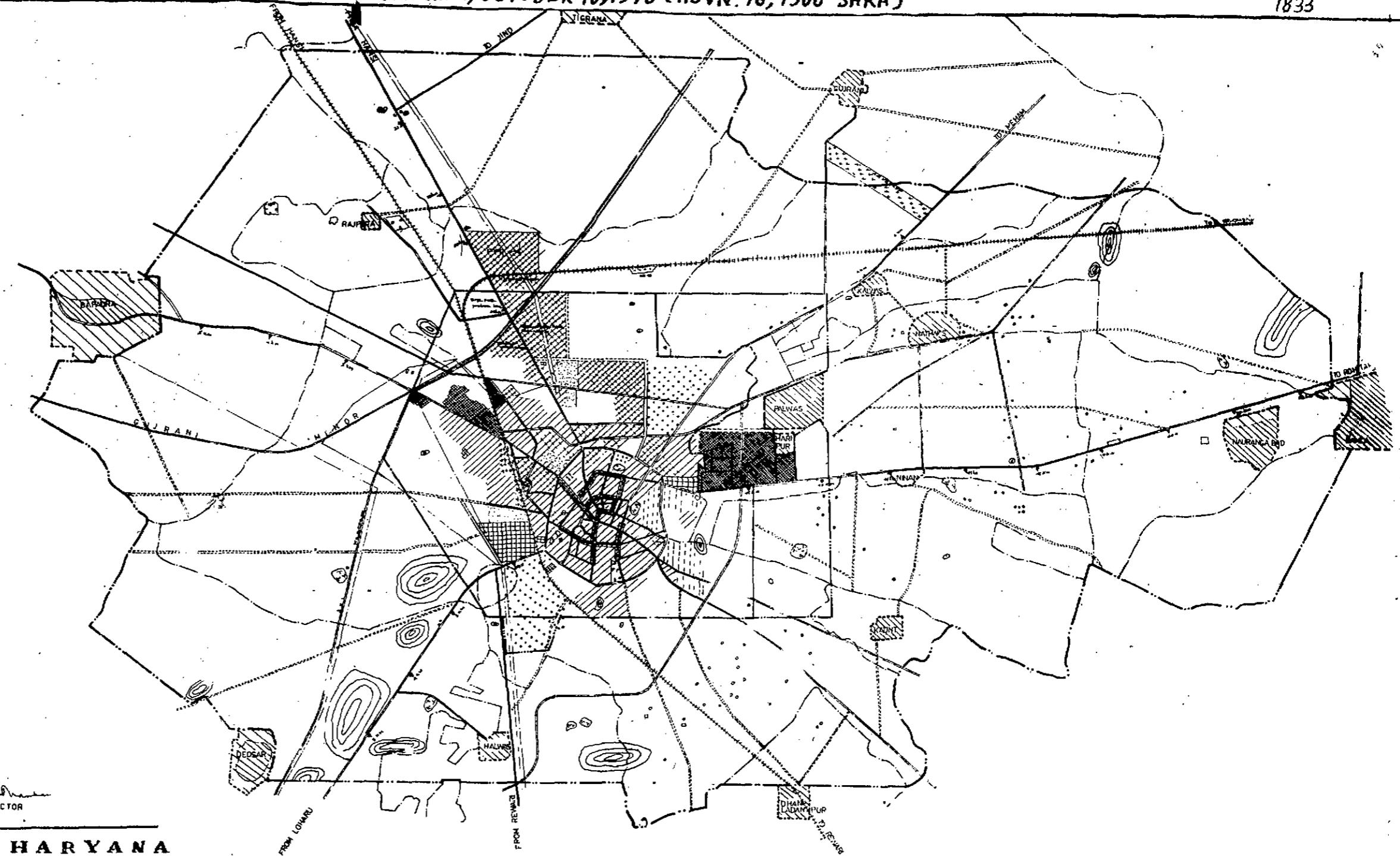
B LAND USE

RESIDENTIAL
COMMERCIAL
INDUSTRIAL
INCLUDING AREA ACQUIRED AND /OR U/C FOR LT
PUBLIC UTILITIES
PUBLIC AND SEMI-PUBLIC BUILDINGS
INCLUDING AREA ACQUIRED AND /OR U/C FOR LT
TRANSPORT AND COMMUNICATION
OPEN SPACES
ORCHARDS

1: 24,000
DRAWING NO. D.T.B.C.D. 672/26 DT: 30.10.76

DRAWING NO D T P C B D 672/76 DT: 30 10 76
PLANNING ASSISTANT *LL*
ASSISTANT TOWN PLANNER *LL*
DIVISIONAL TOWN PLANNER *LL*
SENIOR TOWN PLANNER

DEPTT OF T & C, PLG, HARYANA



PART 1)

HARYANA GOVT GAZ., OCTOBER 10, 1978 (ASVN.18, 1900 SAKA)

1035

130

BHIWANI

DRAFT DEVELOPMENT PLAN OF
BHIWANI CONTROLLED AREA, PROPOSED
LAND USE PLAN

LEGEND

A EXISTING FEATURES

- BOUNDARY OF CONTROLLED AREA
- MUNICIPAL BOUNDARY OLD EXTENDED
- VILLAGE ABADI DEH BOUNDARY
- RAILWAY LINE
- ROADS
- RASAS
- CANALS

B LAND USE PROPOSALS

- CODE 100 RESIDENTIAL ZONE
- 200 COMMERCIAL ZONE
- 300 INDUSTRIAL ZONE
- 400 TRANSPORT AND COMMUNICATION ZONE
- ROAD RESERVES RAIL. RES.
- 500 PUBLIC UTILITIES ZONE
- 600 PUBLIC AND SEMI PUBLIC BUILDINGS ZONE
- 700 PUBLIC OPEN SPACES
- 800 AGRICULTURAL ZONE
ORCHARDS ONLY
- RESERVED FOR SPECIAL PURPOSES
(TO BE DETERMINED LATER)

C OTHER NOTATION

SECTOR NO.

SECTOR DENSITY

NOTE:-

THE LAND USE PROPOSALS SHOWN WITHIN THE
MUNICIPAL BOUNDARIES ARE OF RECOMMENDATORY NATURE ONLY

FEET

0 2000 4000 6000 8000 10000

METERS

0 1000 2000 3000

SCALE

DRAWING NO. D.T.P(B) 675/76 DT 4.11.76

PLANNING ASSISTANT *K. K. Bhatia* REVISED ON 24.2.77

ASSISTANT TOWN PLANNER

DIVISIONAL TOWN PLANNER *G. S. S. S. S. S.*

SENIOR TOWN PLANNER

M. Bhatia

DIRECTOR

DEPTT. OF T&C. PLG. HARYANA

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